

**REGULAR MEETING
FRESNO HISTORIC PRESERVATION COMMISSION**

Monday, 27 April 2009, 5:30 p.m.

**City Hall, Conference Room A
2600 Fresno Street
Fresno, California 93721**

I. CALL TO ORDER AND ROLL CALL:

The meeting was called to order at 5:37 p.m. by Don Simmons, Ph.D., Chair.

Members Present:	DON SIMMONS, Ph.D.	Chair
	MOLLY LM SMITH	Vice-Chair
	KEVIN ENNS-REMPEL	Commissioner
	TERESA ESPAÑA	Commissioner
	SALLY CAGLIA	Commissioner

Members Absent:

Staff Present:	Karana Hattersley-Drayton	Historic Preservation Project Manager
	Darrell Unruh	Planning & Development Manager Secretary to the Commission
	Jack Van Patten	Planner II, Recording Secretary

II. APPROVE MEETING MINUTES:

Upon a **motion** by **Commissioner Smith**, seconded by **Commissioner Enns-Rempel**, the minutes of the February 23, 2009 meeting were **approved**, as presented, on a **vote of 3-0-2**

III. APPROVE AGENDA:

Upon a **motion** by **Commissioner Smith**, seconded by **Commissioner Enns-Rempel**, the Agenda was **approved**, as amended to delete the mention of the approval of the minutes of the March 23, 2009, Meeting, on a **vote of 3-0-2**

IV. CONSENT CALENDAR:

(All consent calendar items are considered by the Historic Preservation Commission to be routine, and will be enacted by one motion. There will be no separate discussion of

these items, unless requested, in which event the item will be removed from the consent calendar and considered following approval of the consent calendar.)

There were no items on the consent calendar, and, thus, **no action taken**.

V. CONTINUED MATTERS:

There were no continued matters, and thus, **no action taken**.

VI. COMMISSION ITEMS:

A. Introduction of new Commission Members.

Each Commissioner, continuing and new, introduced him- or herself, providing brief background statements.

B. Review and Make Findings on Requests to Designate the Following Properties to the Local Register of Historic Resources:

i. The Frank Chance Field Site Located at the Southwest Corner of Ventura and Cedar Avenues.

Ms Karana Hattersley-Drayton, Historic Preservation Project Manager, gave a PowerPoint presentation about the two items.

The site of Frank Chance Field is Fresno's first 'site' [as distinct from a building or structure] to be proposed for listing on the Local Register. The ballpark was developed in the mid-nineteen thirties, and was an active ballpark until the early-nineteen forties.

The field was named for native Fresnan Frank Chance, who was one of the famous three-some involved in the first triple-play in baseball history: 'Tinker-to-Evers-to-Chance'. Chance coached the Chicago Cubs to two World Series championships and four national pennants.

ii. The William F. Jones Home Located at 1112 East Franklin Avenue.

William F. Jones was Fresno County Sheriff from 1918 to 1930. He and his wife, Mary Estella, moved into the subject house shortly after his election to office. They resided in the house until his death in 1936, and his wife continued in residence for another two years. The home is a fine example of the Arts and crafts aesthetic.

After the PowerPoint presentation, **Ms Hattersley-Drayton** continued her report: The Chance Field site qualifies for listing on the Local Register under Criterion i, and the Jones Home under Criterion ii, association with a person, and, also, under Criterion iii, an example of an architectural type.

Mr. Jack Grove, a neighborhood resident, stated that Babe Ruth, Lou Gehrig, Joe DiMaggio all played exhibition games at Chance Field.

Commissioner Caglia commented that she is reminded of Kearney Bowl [now long gone], and stated that she supports the [Staff] recommendation.

Commissioner Caglia moved the nomination of the Site of Frank Chance Field to the Local Register of Historic Resources; **Commissioner Smith** seconded the motion.

The **motion passed** on a **vote of 5-0-0**.

Ms Barbara Fisk, occupant of the William F. Jones Home, spoke of her love for the house, and her family's plans to care for it.

Commissioner Smith moved the nomination of the William F. Jones Home to the Local Register of Historic Resources; the **Chair** seconded the motion.

The **motion passed** on a **vote of 5-0-0**.

- C. Review and Make Findings on a Request to Rescind the Dr. Floyd L.R. Burks Home, Located at 2221-2223 San Joaquin Street, as an Heritage Property Due to Loss of Integrity.

Ms Karana Hattersley-Drayton, Historic Preservation Project Manager, rehearsed the nature of the Heritage Property designation. She reviewed the process of designation and the rescission of that designation. After a brief history of the property since designation (fire, etc.), she reviewed the CEQA Class 1 Categorical Exemption requirements and informed the Commission that this agenda item qualifies for such exemption.

The **Chair** opened the agenda item to public hearing and comment.

Ms Jeanette Jurkovich, 1130 West Roberts Avenue, stated her belief that the ordinance doesn't address heritage properties. She said that we can lose any [historic resource] the way we lost this. A heritage property doesn't have the same protections as historic resources do. She asserted that there is an element of segmentation (under CEQA) in this case. Fresno has given up many historic resources—we need to be shown why it [the Burks Home] cannot be restored. She alleged dereliction or irresponsibility on the owner's part. She stated that there must be clarity on what really took place before de-listing.

Ms Hattersley-Drayton stated that the fire started by a stove exploding in the neighboring house, owned by another party. She said she couldn't speak to the insurance issue. The Building Official [**Mr. Jerry Bishop**] has given his considered professional opinion of the building's severe damage.

The **Chair** asked whether **Mr. Bishop** [the City Building Official] had inspected the neighboring building, and, also, why are there two types of action for the same event.

Ms Hattersley-Drayton stated that the neighboring building burned to the ground, and was neither an heritage property nor an historic resource.

The **Chair** Stated that he opposes de-listing; that he believes there is not enough evidence to show loss of integrity. He stated his belief that de-listing sets a bad precedent. He asserted that we have seen properties in worse condition that have remained on the list. A bigger issue is the cumulative effect.

Commissioner Enns-Rempel stated his recollection that property owners can request heritage property status, and may rescind that status without process.

Ms Hattersley-Drayton advised the Commission of the process by reading FMC §12-1612(d). She said that the proper course was to follow the listing process in reverse.

Commissioner Enns-Rempel stated that he doesn't see the situation the same way that the **Chair** does. He asked what would we be saving, if the end result was a replica of the building, rather than the building, itself. He stated that he recognizes the arguments made about the effect of de-listing have on the neighborhood.

Commissioner Caglia commented that the building is totally gutted inside, and agrees with **Commissioner Enns-Rempel**. She went on to comment that the property owner, One-By-One Leadership is in escrow with [Mr.] [Darius] **Assemi**.

Ms Hattersley-Drayton reminded the Commission that, if the Staff had a nickel for each time the property entered escrow, Staff would be wealthy.

Mr. Darrell Unruh, Commission Secretary, commented that there has been a good deal of concern and consultation about the issue of 'piece-mealing'.

Ms Hattersley-Drayton stated that she has met Mr. Assemi, who is interested in the area, and she has stressed to him the matter of compatibility of infill to the historic resources. She emphasized that these properties have gone in and out of escrow, repeatedly.

The **Chair** asked, "Why demolish the building, now?"

Ms Hattersley-Drayton responded that Code Enforcement is putting pressure on the property owner—fines. She reminded the Commission that she, herself, had written the Heritage Property recommendation for this building.

There ensued a discussion among the Commissioners, and with Staff, about code enforcement, demolition, infill, etc.

Ms Hattersley-Drayton stated that infill development would involve more than just one parcel—it must, in order for it to 'pencil out'.

Commissioner Smith asked whether the integrity issue involved one criterion, or both [the person, Dr. Burks, or the house].

Ms Hattersley-Drayton stated that the building is the subject of the integrity issue—does the building retain integrity to its period of significance.

A discussion of the issue of 'significance' ensued.

The **Chair** summarized the options before the Commission: accept the Staff Report, not accept it, continue the matter, or such other action that pleases the Commission.

Commissioner Smith asked whether the heritage property was part of Code Enforcement's action [involving the fire next door].

Ms Hattersley-Drayton responded that it was.

Commissioner Smith asked what effect de-listing has.

Ms Hattersley-Drayton responded that the property would no longer be subject to the Historic Preservation Code, but is still subject to other portions of the Municipal Code.

The **Chair** asked for a motion.

Commissioner Enns-Rempel moved acceptance of the Staff Report.

Commissioner Caglia seconded the motion.

The **motion failed** on a **vote of 2-3-0**.

- D. Review and Approve Request to Pursue Formal Action Under FMC 12-1626© (Minimum Maintenance Provisions) for the Frank J. Craycroft Home (HP# 182) Located at 6545 North Palm Avenue.

Ms Karana Hattersley-Drayton, Historic Preservation Project Manager, introduced the matter, giving a review of the site's history over the last three or four years. She, also, noted that some of the problems go back twenty-five years.

After this introduction, the **Chair** opened the agenda to the public.

Ms Jeanette Jurkovich, 1130 West Roberts Avenue, stated that the house survives because of mitigation measure to preserve this structure. Much about the situation we don't know: insurance, debt. We are not getting the back-story on these properties, so we don't create strategies the property owner can't get out of. Maintenance issues give rise to other questions we might ask.

Hearing no other comments from the public, the **Chair** returned the matter to the Commission.

Commissioner Enns-Rempel commented that information may be useful, but we're not levying fines, and the Minimum Maintenance Standards enforcement gets the property owner into discussion [with us].

Commissioner Smith stated that the purpose of the Courtesy Notice is to get the property owner to talk to us.

Commissioner Caglia commented that we need to send notices to get them [property owners] talking—and to get protection for the building.

Commissioner Smith stated that when persons are entering [the building], there are safety issues, as well as destruction to the building.

The **Chair** asked what response was there to our Courtesy Notice [for the L Street properties].

Ms Hattersley-Drayton stated that there was no response [in terms of repairs to the building], but it [the Courtesy Notice] got the property owner talking to us.

The **Chair** asked, “How effective is a Courtesy Notice, when there has been no response?”

Ms Hattersley-Drayton stated that there are subsequent steps. We can’t use the first step as an example of the process.

Commissioner Smith moved acceptance of the Staff Report.

Commissioner España seconded the motion.

The **motion passed** on a **vote of 5-0-0**.

- E. Review and Make Findings on Site Plan Application S-09-032 for the Relocation of Five Homes to the Southeast Corner of M Street and Santa Clara Avenue for the Old Armenian Town Project (RDA).

Ms Karana Hattersley-Drayton, Historic Preservation Project Manager, made a PowerPoint presentation about the history of the five houses proposed for the site of the former Fire Department Headquarters. She reminded the Commission that the issue has been unresolved for at least seven years. The Mitigated Negative Declaration (MND) for an early proposal (C-02-061) dates from City Council approval of the same on November 19, 2002. The present proposal was developed by a ‘charrette’ held on October 2, 2008.

The proposal came before the Commission, most recently, at its March 23, 2009, meeting, and direction was given to the Redevelopment Agency (RDA) to consider modifications to the site plan presented at that time. The results of those re-considerations will be presented at this meeting. Also, the removal of the additions to some of the houses is ‘kosher’, under the Secretary of Interior’s (SOL’s) Standards.

The **Chair**, then, called upon RDA to make their presentation.

Ms Terry Cox, of the Redevelopment Agency, and **Ms Michele Randel**, architect involved in the project, made a PowerPoint presentation in which they rehearsed the history of the project, the process and content of the charrette, details about each house, and the reasons for the proposed removal of additions to some of the houses.

The **Chair**, then, opened the agenda to public comment.

Ms Jeanette Jurkovich, representing Friends of Armenian Town, stated that the Mitigated Negative Declaration was the City's environmental document. The Court says it (the MND) must be complied with—RDA and the City just can't violate a court order, but can come to a settlement. She stated her belief that there are too many houses on this lot. She has requested a conference with RDA and the City, but hasn't gotten a response.

Ms Jurkovich stated her belief that the Terzian Home belongs on the corner [of Santa Clara and M Streets], and urges the Commission to have the City meet with the Friends of Armenian Town, if RDA won't meet.

Ms Jurkovich, then, went on to assert that the 'porches' [on some of the houses] are not documented by the City or RDA [as to their structural condition]. She stated her belief that there is not enough 'substantial evidence' to justify demolishing the additions.

She asserted that the Schmidt house [which is still on its original site] was not to be moved until entitlements were 'pulled' [i.e., construction permits were issued], yet it is shown on the site plan, contrary to the 'mitigation measures'. She stated her belief that the porches cannot be demolished without 'substantial evidence'. She, also, stated that there is no performance bond for these houses (but there is for their demolition).

Ms Jurkovich asserted that the previous owner was a viable party to re-acquire his two properties.

She stated her belief that it is a shame to accept this project. She concluded by stating her belief that Santa Clara Street would be just an access way to the parking structure [as distinct from a 'true street'].

Ms Maybelle Selland, 1483 East Portals Avenue, said that she agrees with much of **Ms Jurkovich's** statement; that she believes the Terzian House must be on the M and Santa Clara Streets corner. She asserted her belief that it would then be the visible 'draw' to the site. She recommends that the Commission continue the item 'til the parties to the law suit come to settlement.

The **Chair**, then, asked, "Ms Selland, is there a desire on your part to have fewer than five houses on the site?"

Ms Selland said, "Yes".

The **Chair** returned the matter to the Commission.

Commissioner España asked who was at the charrette.

Ms Hattersley-Drayton responded that there were fourteen persons present: only two Commissioners (because of the Brown Act), two persons from RDA, planning staff, and members of Heritage Fresno. In all, four entities were involved.

Commissioner Caglia asked whether all persons present at the charrette had agreed to both options.

Commissioner Smith responded that there were two groups, each of which developed an option that it favored.

There was some discussion of this matter among the Commissioners, Staff, and RDA Staff [including Ms Randel].

Commissioner Caglia asked whether Santa Clara Street would be a through street.

Ms Cox, of RDA, responded that it was already closed off.

Commissioner Caglia asked how much staff time has been spent on this project.

Ms Cox responded that there is no way to tell: it has been seven years and many persons.

The **Chair** stated that he sees a desire of the public to continue the discussion. He asserted that it is important to continue talks.

Ms Cox stated that the time is passing; the houses are deteriorating; the plan complies with the court order; that it costs to wait.

Ms Hattersley-Drayton urged passage.

Commissioner Enns-Rempel stated that he agrees with **Ms Cox**, and is shocked that anyone talks about throwing these houses to the wolves. He recommended approval.

Commissioner Caglia stated that she concurs with **Commissioner Enns-Rempel**. She said that she works in the neighborhood, and the site (and house) will be visible.

The **Chair** stated that he hears the concerns, but there are other sites for one or more of these houses, and putting all of these together is not necessary.

Ms Cox reminded the Commission that they were near each other in their original locations, and that any changes, now, require that we go back to court.

Ms Hattersley-Drayton concurred.

Ms Jeanette Jurkovich asserted that we needn't go back to court.

Ms Cox stated, again, that it means going back to court.

Ms Jurkovich stated that she disagrees.

Ms Cox stated that RDA is blamed for not complying, but other parties blithely propose non-compliance.

Commissioner Smith said that she believes that the parties can still meet, even if we approve it.

Commissioner Enns-Rempel moved the finding that the project is compliant with the Mitigated Negative Declaration.

Commissioner Caglia seconded the motion.

The **motion** passed on a **vote of 4-1-0**.

VII. CHARPERSON'S REPORT:

None.

VIII. UNSCHEDULED ITEMS:

None.

IX ADJOURNMENT:

The **Chair** adjourned the meeting at 8:19 p.m.

X NEXT MEETING: June 22, 2009, 5:30 p.m., Conference Room A

Attest:
Don Simmons, Ph.D., Chair
Presiding

Attest:
Darrell Unruh, Secretary